

**A RESOLUTION**

**BY TRANSPORTATION COMMITTEE**

02-*R*-1387

**A RESOLUTION TO AUTHORIZE SELECT RETIRED EMPLOYEE TO BE COMPENSATED ON A ONE-TIME BASIS FOR AIRPORT SECURITY WORK PERFORMED AS AN INDEPENDENT CONTRACTOR, SAID COMPENSATION TO BE REIMBURSED BY THE TRANSPORTATION SECURITY ADMINISTRATION (TSA), AND TO BE PAID FROM FUND ACCOUNT CENTER NUMBER 2H01 524001 X42093; AND FOR OTHER PURPOSES**

**WHEREAS**, additional security measures were required as a result of an "Attack on America" September 11, 2001; and

**WHEREAS**, the City of Atlanta ("the City") owns and operates the Hartsfield Atlanta International Airport ("Airport") and serves as the host agency for law enforcement activities; and

**WHEREAS**, on November 19, 2001, the Aviation and Transportation Security Act established the Transportation Security Administration (TSA) under the direction of the Under Secretary of Transportation for Security. Section 110(g)(2) of the Act requires the Under Secretary to order the deployment of at least one law enforcement officer at each airport passenger security screening checkpoint to ensure passengers safety and national security; and

**WHEREAS**, National Guard personnel were deployed to provide security presence at checkpoints as an interim measure to meet the federally mandated law enforcement officers requirement pending the deployment of federal law enforcement officers. The National Guard was removed from checkpoints April 13, 2002; and

**WHEREAS**, Title 49 of the United States Code, Section 449039(c), requires the airport owner to establish a security program that provides a law enforcement presence and capability that is adequate to ensure the safety of passengers at each airport; and

**WHEREAS**, the Under Secretary of Transportation for Security issued Security Directive 1542-02-01 which directs the City of Atlanta, the airport owner, to deploy law enforcement officers at checkpoints by April 10, 2002 as the National Guard personnel departs the airport; and,

**WHEREAS**, The City of Atlanta, Department of Aviation, Hartsfield Atlanta International Airport entered into a Memorandum of Agreement with the Transportation Security Administration (TSA) on March 27, 2002 whereby the City would provide law enforcement personnel at all checkpoints, and TSA would reimburse the City of Atlanta for the cost incurred to meet this new security obligation, including reimbursement of personnel salaries; and

**WHEREAS**, the City of Atlanta Police Department, Airport Section, hired as an independent contractor, Retired Police Major Darlene M. Neely, as Security Coordinator for the new security obligations; and

**WHEREAS,** The Under Secretary has developed a formula for the amount to be reimbursed to the City of Atlanta for personnel salaries related to the new security obligations, as set forth in the Security Directive 1542-02-01; and

**WHEREAS,** the City Charter states that the City may hire a retired police officer as an independent contractor for a period not to exceed one year, during which time the retired police officer shall continue to receive her/his pension, but will not acquire additional pension rights, civil service rights, nor make any pension contributions.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,** that the Mayor or her designee be and hereby is authorized to pay Retired Major Darlene M. Neely for work performed as an independent contractor as the Security Coordinator from May 21, 2002 through July 15, 2002, for total compensation of \$13,152.00, which amount shall be reimbursed to the City of Atlanta, Department of Aviation by the TSA, with such costs to be paid from Fund Account Center Number 2H01 524001 X42093.

**BE IT FURTHER RESOLVED,** that this one time payment to retired Major Neely shall not impact her pension nor civil service rights, and shall not interfere with her receipt of her City of Atlanta pension check.

**BE IT FINALLY RESOLVED,** that said agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor.

**TRANSMITTAL FORM FOR LEGISLATION**

To Mayor's Office: Greg Pridgeon

General Manager's Signature: \_\_\_\_\_

From: Originating Dept. Aviation

Committees of Purview: TC

Committee Meeting Dates: 08/14/02

Contact: Shirley Crenshaw(404) 530-6630

Committee Deadline: 08/02/02

Council Meeting: 09/03/02

**CAPTION:**

**A RESOLUTION TO AUTHORIZE SELECT RETIRED EMPLOYEE TO BE COMPENSATED ON A ONE-TIME BASIS FOR AIRPORT SECURITY WORK PERFORMED AS AN INDEPENDENT CONTRACTOR, SAID COMPENSATION TO BE REIMBURSED BY THE TRANSPORTATION SECURITY ADMINISTRATION (TSA), AND TO BE PAID FROM FUND ACCOUNT CENTER NUMBER 2H01 524001 X42093; AND FOR OTHER PURPOSES**

**BACKGROUND/DISCUSSION:**

This paper will authorize a one-time payment to Major Darlene M. Neely who is a retired City of Atlanta Police Officer that performed as the Security Coordinator from May 21, 2002 through July 15, 2002. Under the rules of Extra Help Account an employee cannot receive a pension check and a City payroll check. Through written agreements the Transportation Security Administration will reimburse the City of Atlanta for the cost incurred to meet this new security obligation.

**FINANCIAL IMPACT:** N/A

**SOURCE:** N/A

Mayor's Staff Only:

Received by Mayor's Office: 7/29/02

(date)

Reviewed: \_\_\_\_\_

(initials) (date)

Submitted to Council: \_\_\_\_\_

(date)

Action by Committee: \_\_\_\_\_ Approved \_\_\_\_\_ Adversed \_\_\_\_\_ Held

\_\_\_\_\_ Amended \_\_\_\_\_ Substitute \_\_\_\_\_ Referred \_\_\_\_\_ Other